

**UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF PUERTO RICO**

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In re: PROMESA
Title III

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO,

as representative of Case No. 17 BK 3283-LTS
(Jointly Administered)

THE COMMONWEALTH OF PUERTO RICO, *et al.*

Debtors.¹

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THE OFFICIAL COMMITTEE OF UNSECURED
CREDITORS OF THE COMMONWEALTH OF
PUERTO RICO,

as agent of Adv. Proc. No. 17-00257-LTS

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO

as representative of

THE COMMONWEALTH OF PUERTO RICO,

Plaintiffs,

v.

BETTINA WHYTE,

as agent of

¹ The Debtors in the jointly-administered Title III cases, along with each Debtor's respective Title III case number listed as a bankruptcy case number due to software limitations and the last four (4) digits of each Debtor's federal tax identification number, as applicable, are the (i) Commonwealth of Puerto Rico (Bankruptcy Case No. 17 BK 3283-LTS) (Last Four Digits of Federal Tax ID: 3481); (ii) Puerto Rico Sales Tax Financing Corporation ("COFINA") (Bankruptcy Case No. 17 BK 3284-LTS) (Last Four Digits of Federal Tax ID: 8474); (iii) Employees Retirement System of the Government of the Commonwealth of Puerto Rico ("ERS") (Bankruptcy Case No. 17 BK 3566-LTS) (Last Four Digits of Federal Tax ID: 9686); (iv) Puerto Rico Highways and Transportation Authority ("HTA") (Bankruptcy Case No. 17 BK 3567-LTS) (Last Four Digits of Federal Tax ID: 3808); and (v) Puerto Rico Electric Power Authority ("PREPA") (Bankruptcy Case No. 17 BK 4780-LTS) (Last Four Digits of Federal Tax ID: 3747). (Title III case numbers are listed as Bankruptcy Case numbers due to software limitations).

THE FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO

as representative of

THE PUERTO RICO SALES TAX FINANCING
CORPORATION (“COFINA”),

Defendant.

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**INFORMATIVE MOTION OF FINANCIAL OVERSIGHT AND
MANAGEMENT BOARD FOR PUERTO RICO REGARDING
JOINT INFORMATIVE MOTION OF COMMONWEALTH AGENT AND
COFINA AGENT SUBMITTING REVISED PROPOSED SCHEDULING ORDER**

To the Honorable United States District Court Judge Laura Taylor Swain:

The Commonwealth of Puerto Rico (the “Commonwealth”) and the Puerto Rico Sales Tax Financing Corporation (“COFINA,” and together with the Commonwealth, the “Debtors”),² by and through the Financial Oversight and Management Board for Puerto Rico (the “Oversight Board”), as the Debtors’ representative pursuant to section 315(b) of the Puerto Rico Oversight, Management, and Economic Stability Act (“PROMESA”),³ respectfully submit this informative motion in response to the Joint Informative Motion of the Commonwealth Agent and the COFINA Agent Submitting a Revised Proposed Scheduling Order (the “Motion”) [ECF No. 76, Adv. Proc. No. 17-00257], and state as follows:

1. The Oversight Board notes that the Commonwealth Agent and the COFINA Agent (collectively, the “Agents”) filed the Motion to amend the schedule for litigation and resolution of the Commonwealth-COFINA Dispute in the adversary proceeding initiated by the Commonwealth Agent [Adv. Proc. No. 17-00257] (the “Adversary Proceeding”).

² Capitalized terms used but not defined herein have the meanings given to them in the Application (as defined herein) or the Stipulation and Order Approving Procedure to Resolve Commonwealth-COFINA Dispute [ECF No. 996] (the “Stipulation and Order”), as applicable.

³ PROMESA has been codified in 48 U.S.C. §§ 2101-2241.

2. As we informed the Agents before they filed the Motion, and as the Agents indicated in their Motion (at 2), the Oversight Board objects to the schedule that has been proposed by the Agents in the Motion. The Oversight Board further disagrees that objections regarding the scope of the Agents' authority as provided in the Stipulation and Order should be filed in the Adversary Proceeding.

3. Accordingly, the Oversight Board plans to file a motion in the Commonwealth Title III action this week regarding the scope of the Agents' authority as provided in the Stipulation and Order. This motion will also include the Oversight Board's proposed amended schedule for resolution of the Commonwealth-COFINA Dispute in the Adversary Proceeding.

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Dated: October 31, 2017
San Juan, Puerto Rico

Respectfully submitted,

/s/ Martin J. Bienenstock

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and Management Board as representative
for the Debtors*

CERTIFICATE OF SERVICE

I hereby certify that, on this same date, I electronically filed the foregoing with the Clerk of the Court using the CM/ECF system, which will send notifications of such filing to all CM/ECF participants in this case.

/s/ Hermann D. Bauer
Hermann D. Bauer